

## CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS			
<p>ECONO-THERM CORPORATION, an Oklahoma Corporation,</p> <p>Plaintiff,</p> <p>vs.</p> <p>FLUOR CORPORATION, a corporation, and AMERICAN BOILER &amp; TANK CO., a corporation,</p> <p>Defendants.</p>		<p>For plaintiff: Roger Scott John Livingston Pray, Scott &amp; Livingston 2800 Fourth National Bank Bldg. Tulsa, Oklahoma 74119 583-1366</p> <p>For defendant: Huffman, Arrington, Scheurich &amp; Kihle William Scheurich -Fluor Corp. John M. Sharp Fifth Floor Oklahoma Natural Building 585-8141 Tulsa, Oklahoma 74119</p> <p>Pat Waddel (Amer.Boiler &amp; Tank) Sneed &amp; Waddel 411 Thurston Nat'l Bldg. Tulsa, Oklahoma 74103</p>			
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 2-1-72	Clerk	1-17-72	Williamson	15.00	
		1-20-72	C.D.No.33		15 00
J.S. 6 mailed 12-1-72	Marshal				
Basis of Action: Breach of Contract.	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
	<i>70 20 ISSUED FILE 1-18-72</i>	
1-17-72	Complaint filed and Summons issued. v	
1-19-72	Amended Complaint filed and summons issued. rm	
2-1-72	Return of service of summons on Fluor Corp. Served Joe Mach, Asst. Chief Inspector on 1/18/72 at 3:40 p.m. (USM \$5.40) filed. rm	
2-1-72	Return of service of alias summons on Fluor Corporation. Served Joe Mach, Asst. Chief Inspector on 1/20/72 at 11:29 a.m. (USM \$5.40) filed. rm	
2-1-72	Return of service of summons on American Boiler And Tank Co. Served H. F. Rackelmann, Sec. on 1/21/72 (\$4.96) filed. rm	
2-7-72	Motion of Deft. Fluor Corp. for Enlargement of time to Plead or Answer, filed. v	
2-7-72	Brief in Support of Motion of Deft. Fluor Corp. for Enlargement of Time to Plead or Answer, filed. v	
2-7-72	Order Enlarging Time Withing Which Deft. Fluor Corp. May Plead or Answer, filed. (JHP, by JCS--CD, CC)v --copies mailed. v	
2-8-72	Deft. American Boiler & Tank Co., Application for extension of time, filed. r	
2-8-72	Order allowing extension of time for Amer. Boiler & Tank to plead or answer until 2-22-72, filed. (JHP-Clerk) r -eopies mailed	
2-9-72	U.S. Marshals Service, Retrtn on Summons, filed. Served Melvin Ellsworth by serving Elsie Shapton, on 1-26-72 in Los Angeles, Calif., with fees of \$6.40. v	
2-9-72	U.S. Marshals Service, Return on Summons-Alias, filed. Served Melvin Ellsworth by serving Elsie Shapton in Los Angeles, Calif., on 1-26-72 with fees of \$6.40. v	
2-18-72	Motion of def. Fluor for enlargement of time to plead or answer, filed. rm	
2-18-72	Brief of def. Fluor in support of motion for enlargement of time, filed. rm <i>(Order to J.)</i>	
2-18-72	Notice of def. Fluor notifying all parties of filing of motion and brief, filed. rm	
2-22-72	Motion of def. Amer. Boiler for enlargement of time to plead or answer, filed. rm <i>(Order to J.)</i>	
2-22-72	Brief in support of motion of Amer. Boiler for enlargement of time, filed. rm	
2-22-72	Notice of mailing motion to attys., filed. rm	
2-23-72	Alias summons, ret. & filed: served American Boiler & Tank Co. by serving H. I. Rockelmann, Secy., (Chicago, Ill. 2-16-72. (USM \$5.20)g	
2-25-72	Order enlarging time for def. Fluor to plead or answer to 3/8/72. (AEB-J) rm	
2-25-72	Order allowing def. Amer. Boiler enlargement of time to plead or answer, to 3/8/72. (AEB-J) rm (copies mailed)	
3-3-72	Motion of defendant Fluor Corp. for enlargement of time to plead or answer, filed. ds	
3-3-72	Defendant's brief in support of motion of Fluor Corp. for enlargement of time to plead or answer, filed. ds	
3-3-72	Notice of filing motion, filed. ds	
3-3-72	Order enlarging time for def. Fluor to answer to 4/7/72. (AEB-J) rm	
3-10-72	Motion of defendant American Boiler & Tank Co. and for enlargement of time to plead or answer, filed. ds - <i>Order to judge</i>	
3-10-72	Notice of motion filed. ds	
3-10-72	Brief in support of defendant's motion for enlargement of time, filed. ds	
3-21-72	Order enlarging time within which deft. Amer. Boiler & Tank may plead or answer, filed. (30 days from 3-10-72) (AEB-J)hm (copies mailed)	
4-7-72	Answer and counterclaim of def. Fluor, filed. rm	
4-11-72	Answer, Counterclaim and Cross-Claim of Deft. Amer. Boiler & Tank, filed. r	
4-28-72	Answer of def. Fluor to cross-claim of American Boiler, filed. rm	
6-6-72	Case set for disposition 6-13-72 at 10:00 a.m. (AEB-J)hm	
6-13-72	Case called for disposition, for failure to reply to counterclaims of both deft. Def's request 14 days continuance to file reply granted, with possibility of dismissal. (AEB-J)h	

D. C. 110A Rev. Civil Docket Continuation

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DATE	PROCEEDINGS	Date Order or Judgment Noted
6-19-72	Order Granting Plaintiff, Econo-Therm Corp. time to reply to counter-claims up to and including 6-27-72, filed. (AEB-J)v -copies mailed.	
6-27-72	Reply of pltf. to counterclaim of def. Amer. Boiler, filed. rm	
6-27-72	Reply of pltf. to counterclaim of def. Fluor, filed. rm	
7-25-72	Parties directed to hold pre-trial conference prior to 9-6-72 and file pre-trial order not later than 9-13-72.(AEB-J)h	
9-8-72	Motion of plaintiff, Econo-Therm Corporation, for order continuing pre-trial conference filed. Brief in support attached. ds	
9-8-72	Order extending time for pretrial and presentation of pre-trial order, filed. (AEB-J) ds - prior to 10-6-72, and present order by 10-13-72. <i>Copies mailed atty</i>	
10-12-72	Notice of Deft., Fluor Corporation, filed. r	
10-12-72	Appl of deft. Fluor Corp., for order extending time for Pre-Trial and Presentation of Pre-Trial Order, filed. r	
10-12-72	Brief of deft. Fluor Corp. in support of Appl for Order extending time for Pre-Trial and Presentation of P-T. Order, filed. r (Order to Judge)	
10-13-72	Order extending time for P-T and presentation of P-T Order. P-T conference to be held prior to 10-21-72, and shall with 7 days following conference and not later than 10-28-72., filed. (AEB-J) r (Copies mailed)	
10-27-72	Notice of filing appl. for order extending time for pre-trial filed, by Fluor Corp. h	
10-27-72	Application for order extending time for pre-trial and presentation of pre-trial order filed. h	
10-27-72	Brief in support of application for order extending time for pre-trial and presentation of pre-trial order filed. by Fluor Corp. h	
11-3-72	Order extending time for pre-trial and presentation of pre-trial order, until 11-27-72, filed. (AEB-J)hm (copies mailed)	
11-16-72	Stipulation of Dismissal with Prejudice, filed. v -order to Judge.	
11-20-72	Order of dismissal with prejudice, filed and entered. (AEB-J)rm-copies mailed	

*Case closed 11/20/72*

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